

**A SUBSTITUTE ORDINANCE
BY COUNCILMEMBER H. LAMAR WILLIS**

08-O-2135

**AN ORDINANCE TO AMEND CHAPTER 114 ARTICLE IV
DIVISION 12 SECTION 14-379 OF THE CODE OF ORDINANCES
OF THE CITY OF ATLANTA SO AS TO PROVIDE FOR
LEGISLATIVE REVIEW OF ANY REDUCTION IN FORCE BY
EXECUTIVE OR LEGISLATIVE ACTIONS INVOLVING PUBLIC
SAFETY AND COURT EMPLOYEES; TO WAIVE CONFLICTING
ORDINANCES; AND FOR OTHER PURPOSES**

WHEREAS, Section 14-379 of the Code of Ordinances provides for layoff or reduction in force applicable to all employees of the City of Atlanta, provided that such employees are within the classified service;

WHEREAS, the operations of the Departments of Police, Fire Rescue and Corrections, and of the judicial branch of City government, are essential to the City's responsibility to protect the safety, health and welfare of its citizens, making review and approval by the City Council necessary to ensure that any layoff or reduction in force does not compromise such operations.

BE IT HEREBY ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1. That Section 114-379 of the Code of Ordinances of the City of Atlanta, Georgia is hereby amended by adding to subsection (a) the following words, "within all departments of the executive branch except the Departments of Police, Fire Rescue and Corrections" so that, as amended, said section shall read as follows:

(a) This section shall apply to regular employees within the classified service within all departments of the executive branch except the Departments of Police, Fire and Corrections.

Section 2. That Section 114-379 of the Code of Ordinances of the City of Atlanta, Georgia is hereby further amended by adding thereto a new subsection (o) which shall read as follows:

(o) No RIF shall be implemented for employees of the Departments of Police, Fire Rescue or Corrections or employees of the judicial branch of City government, unless proposed to the City Council in the form of a resolution, referred to the Council Committee on Public Safety and Legal Administration and Committee on Finance and Executive, and approved by the City Council.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of any such conflict.

**AN ORDINANCE
BY COUNCILMAN H. LAMAR WILLIS**

AN ORDINANCE TO AMEND CHAPTER 114 ARTICLE IV DIVISION 12 SECTION 14-379 OF THE CODE OF ORDINANCE OF THE CITY OF ATLANTA SO AS TO PROVIDE FOR WRITTEN JUSTIFICATION AND HEARING FOR ANY REDUCTION IN FORCE BY EXECUTIVE OR LEGISLATIVE ACTIONS INVOLVING PUBLIC SAFETY AND COURT EMPLOYEES; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, a reduction in force (RIF) may come from executive or legislative action because of lack of work, shortage of funds or reorganization; and

WHEREAS, Section 14-379 of the Atlanta City Charter provides that the permanent responsibility of the City is to protect the safety, health and welfare of its citizens; and

WHEREAS, The Public Safety Departments and the Court are essential to the fulfillment of said responsibility.

Be it hereby ordained by the Council of the City of Atlanta, Georgia, as follows:

Section 1: A new Section 114-379.1 of the Code of Ordinances of the City of Atlanta Georgia is hereby created which section shall provide of follows:

Notwithstanding the layoff or reduction in force provision contained in Section 114-379 of the Code of Ordinances of the City of Atlanta, all regular employees within the classified service in the Departments of Police, Fire, Correction and Judicial Agencies will be subject to reduction in force (RIF) only under the following conditions:

1. Any proposal for a RIF to either Public Safety or the Court must first be presented in writing before City Council at least 14 days prior to any separation. Council shall refer proposal to the Committee of Purview, the Finance Committee.
2. Finance Committee may request financial documents and other budget materials to determine justification for RIF in either Sector.
3. Finance Committee may either:
 - (a) Approve RIF proposal as proposed based upon information received, and forward to City Council with a favorable recommendation
 - or
 - (b) Require Show Cause hearing before City Council for justification of RIF proposal.

4. City Council must vote for approval of RIF proposal. Approval is granted by 2/3 vote.
5. Finance Committee shall have the authority to specifically dictate any approved cuts.
6. No RIF to either Public Safety or Court shall occur until City Council approves.

Section 2: All ordinances or parts of ordinances in conflict with the ordinances are hereby waived to the extent of any such conflict.
